

WSR 23-04-101
PERMANENT RULES
OLYMPIC REGION
CLEAN AIR AGENCY

[Filed January 31, 2023, 4:31 p.m., effective March 6, 2023]

Effective Date of Rule: March 6, 2023.

Purpose: This action is to revoke the ban on recreational fires in the cities of Lacey, Olympia, and Tumwater.

Citation of Rules Affected by this Order: Amending ORCAA Regulations Rules 6.2.7 and 6.2.8.

Statutory Authority for Adoption: Chapter 70A.15 RCW.

Adopted under notice filed as WSR 22-24-015 on November 29, 2022.

Date Adopted: January 11, 2023.

Jeff C. Johnston
Executive Director

AMENDED SECTION

Rule 6.2.7 Recreational Burning

The following burn practices must be used for recreational burning where allowed.

(a) Maximum pile size is three (3) feet in diameter and two (2) feet high.

(b) Only dry, seasoned firewood or charcoal and enough clean paper necessary to start a fire may be burned.

~~((c) No recreational fires are allowed within the city limits of Lacey, Olympia, and Tumwater, and unincorporated areas of Thurston County lying within or between the municipal boundaries of these cities. Charcoal, propane, or natural gas may be used without a permit.))~~

AMENDED SECTION

Rule 6.2.8 Permit Program

ORCAA may consult with fire protection authorities, conservation districts, or counties to determine if any of these agencies are capable and willing to serve as the permitting agency and/or enforcing agency for specific types of burning. Permitting agencies may use, as appropriate, a verbal, electronic, written, or general permit established by rule, for any type of burning that requires a permit.

(a) Permitting agencies may deny an application or revoke a previously issued permit if it is determined that the application contained inaccurate information, failed to contain pertinent information or the permitted activity has caused a nuisance.

(b) Failure to comply with any term or condition of a permit constitutes a violation of this rule and is subject to penalties pursuant to RCW 70A.15.3150 and RCW 70A.15.3160.

(c) Types of burning that require a written permit.

(1) Agricultural burning must abide by Rule 6.2 and all conditions of the written permit issued by ORCAA or another permitting agency.

(2) Fire training fires, except as provided in RCW 52.12.150, may be conducted provided all the following requirements are met:

(i) Fire training must not occur during a burn ban.

(ii) The fire must be for training.

(iii) The agency conducting the training fire must obtain any permits, licenses, or other approvals required by any entity for such

training fires. All permits, licenses, and approvals must be kept on-site and available for inspection.

~~((3) Native American ceremonial fires within the city limits of Olympia, Lacey, and Tumwater and unincorporated areas of Thurston County lying within or between the municipal boundaries.))~~

((4)3) Land Clearing Burning requires an approved written permit. Conditions of the written permit issued by ORCAA, or another permitting agency are enforceable.

((5)4) Storm and flood debris resulting from a declared emergency by a governmental authority may be burned within two years of the event (storm). Burning must abide by Rule 6.2 and all conditions of the written permit issued by ORCAA or another permitting agency.

((6)5) Weed abatement fires.

((7)6) Residential fires in Thurston County.

The permit application for the above permits must be accompanied by the applicable fee, pursuant to Rule 3.4.

(d) Where residential burning is allowed and no written burn permits are issued, burning must abide by Rule 6.2 and the following:

(1) Maximum pile size is four (4) feet in diameter and three (3) feet high.

(2) Only one pile may be burned at a time, and each pile must be extinguished before lighting another.

(3) Only natural vegetation may be burned.

(4) No fires are to be within fifty (50) feet of structures or within five hundred (500) feet of forest slash.

(5) No tree stumps may be burned.